

Remarks

This response is in reply to the Office Action dated February 5th, 2008. Currently, claims 1-26 are pending. Applicants have amended claims 1, 6, 12, 13, 14, 15, 16, 17, 18 and have withdrawn claims 20-26. Applicants respectfully request reconsideration of claims 1-19.

I. Summary of the Examiner's Objections

The specification, along with claims 14-17, and claims 20-26 were objected to for lack of proper antecedent basis under 37 CFR 1.75(d)(1).

Claims 1, 4, 5, 6, 18, 20, 22 and 25-26 are objected to due to various informalities.

Claims 1,12-14,16-18,20,21,23 and 25 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claims the subject matter which applicant regards as the invention.

Claims 14-17, and claims 20-26 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to set forth the subject matter which applicant(s) regards as their invention.

Claims 1-26 rejected under 35 USC §103(a) as being unpatentable over Loveland (US Patent No. 6,826,539 B2) in view of McClendon et al. (US Patent No. 6,625,619 B1)

II. Summary of the Amendments

Claims 1, 6, 12, 13, 14, 15, 16, 17, and 18 have been amended.

Claims 2, 3, 4, 5, 7, 8, 9, 10, 11, and 19 stand as originally claimed.

Claims 20, 21, 22, 23, 24, 25, and 26 have been withdrawn.

III. Improper antecedent basis under 37 CFR 1.75(d)(1) in regards to Claims 14-17, 20-26 and relevant Specification sections

Examiner has rejected claims 14-17, 20-26 and the relevant Specification sections in connection with those claims due to lack of proper antecedent basis under 37 CFR 1.75(d)(1).

Applicant has amended claims 14-17 in order to reflect the proper definitions of terms found within the Specification.

Applicant has withdrawn claims 20-26 in light of Examiner's comments.

Applicant submits that the amendments overcome the rejections and that the rejections be withdrawn.

IV. Informal Objections: Claims 1,4,5,6,18,20,22 and 25-26

Examiner has objected to claims 1,4,5,6,18,20,22 and 25-26 due to various informal in

1 claim language and construction.

2 Applicant has amended claims 1, 4, 5, 6, and 18 in order to correct the language
3 informalities.

4 Applicant has withdrawn 20, 22 and 25-26.

5 Applicant submits that the amendments overcome the objections and that the objections
6 be withdrawn.

7
8 **V. Rejection under 35 USC 112, second paragraph: Claims 1, 12-14, 16-18, 20, 21, 23 and**

9 **25**

10 Examiner has rejected claims 1, 12-14, 16-18, 20, 21, 23 and 25 under 36 USC 112,
11 second paragraph as being indefinite for failing to particularly point out and distinctly claims the
12 subject matter which applicant regards as the invention.

13 Applicant has amended claims 1, 12-14, 16-18, 20, 21, and 25 such as to overcome the
14 rejection.

15 Applicant has withdrawn claims 20, 21, 23 and 25.

16 Applicant submits that the amendments overcome the rejection and that the rejection be
17 withdrawn.

18 **VI. Rejection under 35 USC 112, second paragraph: Claims 14-17, 20-26**

19 Examiner has rejected claims 14-17, 20-26 under 36 USC 112, second paragraph , as
20 being indefinite for failing to set forth the subject matter which applicant(s) regards as their
21 invention.

22 Applicant has amended claims 14-17 such as to overcome the rejection.

23 Applicant has withdrawn claims 20-26.

24 Applicant submits that the amendments overcome the rejection and that the rejection be
25 withdrawn.

26 **VII. Rejection under 35 USC §103(a) over Loveland (US Patent No. 6,826,539 B2) in view of**
27 **McClendon et al. (US Patent No. 6,625,619 B1): Claims 1-26**

28 Examiner has rejected claims 1-26 under 35 USC §103(a) over Loveland (US Patent No.
6,826,539 B2) in view of McClendon et al. (US Patent No. 6,625,619 B1).

1 Applicant has amended claims 1, 6, 12, 13, 14, 15, 16, 17, and 18 such as to overcome
2 the rejection.

3 Claims 2, 3, 4, 5, 7, 8, 9, 10, 11, and 19, as dependent claims, are thus now patentable
4 over cited art based on the amendments made.

5 Applicant has withdrawn claims 20-26.

6 Applicant submits that the amendments overcome the rejection and that the rejection be
7 withdrawn.

8 Additionally, based on the arguments presented by the Examiner starting on page 12 of
9 the previous Office Action, Applicant still submits that the disclosure by *Loveland* in view of
10 *McClendon* fails to teach each and every limitation found within Applicants claims as they are
11 currently amended.

12 As to claims 1, 5, 6, 14, 18, Examiner states that *Loveland* lacks the elements to:

13 “receive non—graphical information associated with the first graphical
14 element element including a first component specification, and
15 link information for at least one component specification to a second
16 component specification and the ~~CAD~~ element, area or sub—area graphical
17 element by generating link data associated with the ~~CAD~~ graphical element
18 and component specifications, ~~the~~ at least one component specification
19 including the first component specification;”

20 but that such elements of receipt and linking of non-graphical information
21 and component specifications are implicitly taught within the *Loveland*
22 disclosure.

23 The sections of *Loveland* cited do not implicitly disclose the elements of Applicant’s
24 invention claimed above. Specifically, *Loveland* teaches that any “attributes, specifications and
25 photos” are tied to the model by way of graphical data being used as a link (noting figure 2).
26 *Loveland* teaches that attributes “may be tied or linked to various parts of a model” but does not
27 teach that the links are considered independently of the two or more elements they connect.
28 (noting Column 8, lines 1-14) These sections do not teach the “generating link data associated
with the graphical element and component specification” as is claimed by Applicant. The
Specification discloses the generation of link data as follows:

“Each component specification may further include one or more database links to

1 additional component other than its physical or functional attributes. (Page 15, lines 21-23) Each
2 of these component object specifications is database linked to or can be database linked to a
3 CAD element... (Page 17, lines 13, 14) It is noted that component object specification may be
4 linked to each other. (Page 18, lines 7, 8)"

5 Applicant respectfully submits that the cited portions of *Loveland* do not implicitly teach
6 the "generating of link data" as is claimed by Applicant within independent claims 1, 5, 6, 14, 18
7 as currently amended.

8 The cited sections of *McClendon* also do not teach the elements of Applicant's claim 1
9 discussed above. The *McClendon* disclosure teaches the interchange between various systems for
10 identifying and organizing construction product information by defining, searching and
11 comparing generic data records. *McClendon* teaches that "a LinkManager to build and maintain
12 project databases of product information to facilitate interchange of information between
13 independent software application, name CAD, specs, cost, scheduling, procurement, with
14 reporting function and XML output." (Column 12, lines 54-58) *McClendon* teaches that all links
15 are contained within one element of the system that works to facilitate the movement of
16 attributes to be utilized by the system. (Column 14, lines 55-58, Figure 2)

17 Based on the cited portions above, *McClendon* does not disclose the "generating link
18 data" as it is claimed in Applicant's claims 1, 5, 6, 14, and 18 as currently amended. The creation
19 of an independent mechanism that actively links between various systems is not analogous to
20 what is claimed by Applicant. Additionally, the cited portions of *McClendon* state that links
21 between various attributes will only occur if said independent mechanism is running by teaching:
22 "If LinkMan is running, the property set can be automatically pasted into the project database for
23 use by CAD, specifications, application, cost estimating applications, etc." (Column 4, lines 55-
24 58) Thus not only is the interpretation of "links" between various attributes different between
25 *McClendon* and the Application, but their method of storage and relation with the method as
26 whole is not analogous.

27 The combination of *Loveland* and *McClendon* ultimately does not disclose or make
28 obvious the claimed limitation of claims 1, 5, 6, 14, and 18 as currently amended. The
combination of the linking mechanism taught by *McClendon* with the system found in *Loveland*
would still fail to disclose a method teaching all the elements found within the Applicant's
claims.

For the Reason discuseed above, the combination of *Loveland* and *McClendon* fails to

SEP 12 2008

1 teach or make obvious each limitation claimed within claims 1, 5, 6, 14, 18 as currently
2 amended. Because the combination of *Loveland* and *McClendon* fails to teach or suggest each
3 limitation of the claims, Applicant asserts that the claims, as amended, are patentable over the
4 cited art under 35 USC 103(a). Claims 2, 3, 4, 5, 7, 8, 9, 10, 11, and 19, as dependent on claims
5 discussed above, should be patentable for at least these reasons in addition to the distinguishing
6 limitations they recite currently as amended.

7
8 Conclusion

9 Based on the above amendments and these remarks, reconsideration of Claims 1-19 is
10 respectfully requested.

11 The Examiner's prompt attention to this matter is greatly appreciated. Should further
12 questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

13 Enclosed is a REQUEST FOR CONTINUED EXAMINATION UNDER 37 CFR 1.114
14 for consideration of this response to the Final Office Action mailed on February 5th, 2008.

15 The Commissioner is authorized to charge any underpayment or credit any overpayment
16 to Deposit Account No. 504489 for any matter in connection with response that may be required.

17 Respectfully Submitted,

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19 Date: Sept 12, 2008

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